



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "**CONTAINER LID WITH CLOSURE MEMBER**," the Specification of which was filed on April 15, 2004 as United States Application Number 10/826,968.

I hereby state that I have reviewed and understand the contents of the above-identified Specification, including the Claims, as amended by any Amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the Application on which priority is claimed:

Prior Foreign Application(s)

| | | | <u>Priority Claimed</u> | |
|-------------------------|---------|-------------------------|-------------------------|----|
| <u>(None)</u> Number | Country | Day/Month/Year Filed | Yes | No |
| | | | | |

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

| <u>(None)</u> Application Number | Filing Date |
|-------------------------------------|-------------|
| | |

I hereby claim the benefit under 35 U.S.C. § 120 of any United States Application(s), or § 365(c) of any PCT International Application designating the United States, listed below and, insofar as the subject matter of each of the Claims of this Application is not disclosed in the prior United States or PCT International Application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior Application and the national or PCT international filing date of this Application:

| | | |
|--------------------|------------------------|---------------------------------|
| <u>10/641,498</u> | <u>August 15, 2003</u> | <u>Pending</u> |
| Application Number | Filing Date | Status |
| <u>09/923,758</u> | <u>August 6, 2001</u> | <u>Patented (No. 6,679,397)</u> |
| Application Number | Filing Date | Status |

I hereby appoint the attorneys and agents corresponding to the following Customer Number to prosecute this Application, to transact all business in the Patent and Trademark Office and to receive all correspondence connected therewith:

Paul J. Nykaza
23424

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I hereby declare all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the Application or any patent issued thereon.

Full Name of Sole or First Inventor: **Stephen Alan Smith**

Residential Street Address: **868 Appomattox Circle**

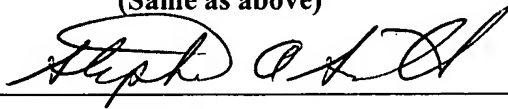
City and State/Province: **Naperville, Illinois**

Country and Zip/Postal Code: **U.S.A. 60540**

Citizenship: **United States of America**

Mailing Address: **(Same as above)**

Inventor's Signature: _____



Date: _____

7/28/09